

THE HON'BLE Dr. JUSTICE G. RADHA RANI

CRIMINAL PETITION No.14281 OF 2024

ORDER:

This criminal petition is filed by the petitioner – accused No.4 under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail in Crime No.143 of 2024 of Palakaveedu Police Station, Suryapet, registered for the offences under Sections 333, 109 and 310(2) of Bharatiya Nyaya Sanhitha (for short 'BNS').

2. The case of the prosecution, in brief, was that on 28.10.2024 at 17.00 hours, the complainant came to the police station and lodged a report stating that on 27.10.2024 evening at 6.20 PM, while his son was alone in the house by wearing Ayyappa Mala, one Shaik Jahangir and two others trespassed into the house and attacked his son with a knife and axe on his head neck, throat, stomach and leg and caused severe bleeding injuries and attempted to kill him. His son made hue and cries. On hearing the same, their neighbours came to the spot. On seeing them, the said three persons fled away from the spot by stealing the Activa scooter of his son. He further submitted that on receiving the information, he shifted his son to the Apollo Hospital, Miryalaguda in a car and after first aid, shifted to Apollo Hospital,

Hyderabad for better treatment. Basing on the said report, the above Crime was registered and A1 to A6 were arrested on 30.10.2024.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner was falsely implicated in the above crime. There were no criminal antecedents against the petitioner. He was suffering with Asthama since long time and was using nebulizer. But, the Jail authorities were not permitting the petitioner to use nebulizer for breathing as well as not taking medicines also. The petitioner was arrested on 30.10.2024 and since then he was in custody. The entire investigation was completed and prayed to enlarge the petitioner on bail.

5. Learned Additional Public Prosecutor opposed grant of bail to the petitioner, but however, reported no criminal antecedents against him.

6. Considering the facts and circumstances of the case, as stated in the remand report wherein it was stated that the petitioner was working in a chicken center and he gave a knife to A1 to A3 on their request, but he was

not present at the scene of offence nor participated in committing the offence and no criminal antecedents were reported against him, it is considered fit to enlarge the petitioner on regular bail.

7. In the result, this Criminal Petition is allowed, directing the petitioner – accused No.4 to be released on regular bail subject to the following conditions:

- i) The petitioner - accused No.4 shall execute a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties for a likesum each to the satisfaction of the Judicial Magistrate of First Class, Huzurnagar.
- ii) The petitioner – accused No.4 shall abide by the conditions stipulated in Section 480 (3) of Bharatiya Nagarik Suraksha Sanhitha, 2023.

Miscellaneous applications, if any, pending, shall stand closed.

November 27, 2024
KTL

Dr. G. RADHARANI, J